

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 12-1884

In Re: ROBERT EVERTON RUSHIE,

Petitioner.

On Petition for Writ of Mandamus.
(1:00-cr-00396-NCT)

Submitted: October 4, 2012

Decided: November 5, 2012

Before NIEMEYER, SHEDD, and AGEE, Circuit Judges.

Petition denied by unpublished per curiam opinion.

Robert Everton Rushie, Petitioner Pro Se.

Unpublished opinions are not binding precedent in this circuit.

PER CURIAM:

Robert Everton Rushie petitions for a writ of mandamus, alleging that the district court has unduly delayed in ruling on his 18 U.S.C. § 3582(c)(2) (2006) motion for reduction of sentence. He seeks an order from this court directing the district court to act. We find the present record does not reveal undue delay in the district court. Accordingly, we grant leave to proceed in forma pauperis and deny the mandamus petition. We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before the court and argument would not aid the decisional process.

PETITION DENIED